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13
14 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
15 **SAN FRANCISCO DIVISION**

16 SILGAN CONTAINERS LLC,

Case No. C-09-5971-RS

17 Plaintiff,

18 vs.

19 NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA, and
20 LIBERTY MUTUAL FIRE INSURANCE
COMPANY,

21 Defendants.
22

~~[SILGAN CONTAINERS' AND LIBERTY
MUTUAL'S PROPOSED] ORDER~~
**FURTHER MODIFYING CASE
MANAGEMENT ORDER**
AS MODIFIED BY COURT

23 Upon consideration of National Union's Administrative Motion to Modify Case
24 Management Order, the Court further modifies the May 20, 2010 Case Management Order, as
25 amended by Court Orders dated July 19, 2010 and July 30, 2010, as follows:

26 1. NON-EXPERT DISCOVERY. On or before November 9, 2010, non-expert
27 discovery shall be completed by the parties, with one exception: National Union may complete
28 the deposition of non-party Del Monte Foods Company on or before December 9, 2010. **

1 2. EXPERT WITNESSES. The disclosure and discovery of expert witness opinions
2 shall proceed as follows:

3 A. On or before November 23, 2010, plaintiff shall disclose expert testimony
4 and reports in accordance with Federal Rule of Civil Procedure 26(a)(2).

5 B. On or before December 21, 2010, defendants shall disclose expert
6 testimony and reports in accordance with Federal Rule of Civil Procedure 26(a)(2).

7 C. On or before January 18, 2011, all discovery of expert witnesses pursuant to
8 Federal Rule of Civil Procedure 26(b)(4) shall be completed.

9 3. CROSS-MOTIONS FOR SUMMARY JUDGMENT. Cross-motions for summary
10 judgment, if any, shall be heard in accordance with Civil Local Rule 7 no later than February 23,
11 2011.

12 4. FURTHER CASE MANAGEMENT CONFERENCE. A Further Case
13 Management Conference shall be held on April 7, 2011 at 10:00 a.m. in Courtroom 3, 17th Floor,
14 United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The parties shall
15 submit a Joint Case Management Statement at least one week prior to the Conference.

16 5. PRETRIAL STATEMENTS. At a time convenient to all, counsel shall meet and
17 confer to discuss preparation of a joint pretrial statement, and on or before July 28, 2011, counsel
18 shall file a Joint Pretrial Statement.

19 6. PRETRIAL CONFERENCE. The final pretrial conference will be held on August
20 11, 2011, at 10:00 a.m., in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate
21 Avenue, San Francisco, California. Each party or lead counsel who will try the case shall attend
22 personally.

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1 7. TRIAL DATE. Jury trial shall commence on August 29, 2011, at 9:00 a.m., in
2 Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco,
3 California.

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5 **IT IS SO ORDERED.**

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7 DATED: 10/29/10


HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE

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11 ** In the event National Union wishes to pursue followup discovery reasonably related to
12 documents produced by, and the deposition of, Del Monte, the parties shall meet and confer to
13 attempt to reach agreement as to whether and to what extent any such discovery shall go
14 forward notwithstanding expiration of the cutoff date.